

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLENE HARVEY, Derivatively on behalf of  
WAVE SYSTEMS CORP.,

Plaintiff,

v.

STEVEN SPRAGUE, GERARD T. FEENEY, JOHN E.  
BAGALAY, JR., NOLAN BUSHNELL, GEORGE  
GILDER and JOHN E. McCONAUGHY, JR.,

Defendants,

and

WAVE SYSTEMS CORP., A Delaware Corporation,

Nominal Defendant.

CIVIL ACTION  
NO. 04-30044-MAP

NOTICE OF APPEARANCE

Pursuant to Local Rule 83.5.2(a), notice is hereby given of the appearance of Robert A. Buhlman and Eunice E. Lee of the law firm of Bingham McCutchen, LLP, 150 Federal Street, Boston, Massachusetts 02110, (617) 951-8000, as counsel for Defendants Steven Sprague, Gerard T. Feeney, John E. Bagalay, Jr., Nolan Bushnell, George Gilder and John E. McConnaughey, Jr., and for Nominal Defendant Wave Systems Corp.

Respectfully Submitted,

Robert A. Buhlman, BBO #554393

Eunice E. Lee, BBO #639856

**BINGHAM McCUTCHEN LLP**

150 Federal Street

Boston, MA 02110-1726

(617) 951-8000

Dated: March 12, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by regular mail on March 12, 2004.

Eunice E. Lee